

Abraham Lincoln papers

From Benjamin Gates and Frederick W. Evans to Abraham Lincoln [With Endorsement by Lincoln]¹,
August 1, 1863

¹ The following letter addresses a problem arising from the draft law. The Conscription Act of 1863 did not contain any provisions concerning members of pacifist religious sects. After receiving numerous petitions from various denominations, Congress passed an amendment to the Conscription Act in February 1864 that allowed members of noncombatant religious sects to avoid military service by either paying a \$300 fee (the money would be used to aid sick and wounded soldiers), serving in hospitals, or working with freedmen. This measure was still unacceptable to conscientious objectors and the Provost Marshal General instructed his subordinates to draft conscientious objectors and parole them immediately. See *Official Records*, Series III, Volume 3, 1173. See also William H. Seward to Lincoln, July 31, 1863.

Memorial.

To his Excellency the

President of the United States.

The undersigned, in behalf of the United Society of Shakers, composed of Eighteen distinct Communities, and located in Seven of the States of the Union, respectfully ask for the Exemption from Service of such of the members of their Society as may be drafted under the Act entitled "An Act for Enrolling and calling out the National Forces, and for other Purposes."

This application involves a matter of very small practical importance to the Government, inasmuch as the whole number of members of the Society subject to the Conscription does not exceed One Hundred and Ninety; from which number, after deducting those of foreign birth and physical disability, not more than Seventy would remain among whom the Draft could take effect.

This favor is asked of the Government for the subjoined considerations:—

That non-resistance and non-participation in the affairs of earthly governments are primary and fundamental articles of the religious faith of the Shaker Societies; and that by these principles, which, for near a century, have been by them conscientiously and consistently carried out in practice, they

are equally debarred from furnishing substitutes (directly or indirectly) as from rendering personal service.

No Shaker has ever trained, voted, or been voted for, or held any office of honor, trust, * or emolument, under the Civil Government; or participated in Politics. But they have suffered, in person and property, and even been imprisoned, for their non-military testimony; but were finally, by most of the States, exempted from Military duties and equivalents.

* except that of Post master for a Shaker Society

As the Shakers hold all their property "in common," the Societies have large amounts of money now in the National Treasury, which legally belongs to them through parties, who served in the wars of the Revolution and of 1812, subsequently uniting with the Shaker Order; but who by the Society were not permitted to draw either their Pensions or Bounty Lands. These sums, principal and interest, amount, in the aggregate, to \$600.100, (See Schedule A. for facts.) Two Societies in Kentucky, not yet heard from, would materially augment this amount.

While the sum the Government would receive for exemption of one-third of all the members of the Shaker Societies liable to the Draft, under the Act, (their number being not over Seventy) would amount to only \$7,200; and, should the whole number liable be drafted, the amount of Compensation would not exceed \$21,000, — only about four per cent of the aggregate of the moneys referred to as being now in the National Treasury.

Your Petitioners, in behalf of the Society respectfully urge the Justice & equity of considering the sum thus left in the Public Treasury, as at least an equivalent for any money that might be claimed as due from any of the members of the Society, under the Act referred to.

The property of this Society is devoted to religious and charitable purposes. Shakers support their own poor, aged, and infirm; and bear their full proportion of every form of taxation for the support of the poor outside, as well as for all Governmental organizations, — National, State, and Municipal.

And, while we present these facts as an earnest of our conscientious faith and religious principles, which render it imperative upon us to suffer, in property or person, rather than violate those principles, either by ourselves or others, we humbly and respectfully solicit the Discharge of such individuals of our Communion, as are or shall be, under the Conscript Act, drafted for Military Service.

And your Petitioners will every pray, both for yourself, and for the continued existence of this free Government, towards which the Shaker Societies ever have been, are, and will continue to be, truly loyal.

F. W. Evans.

Benjamin Gates.

[Enclosure:]

We as a Commity. represent the Community of Shakers in the United States. Whose Faith & Consciences. do not permit them to bear Arms not even in Self defence.

The Principle of Nonresistance is well understood by your Honor. In conformation of the Consientious principles of our Community We never take any part in Politics. Never Vote or are Voted for. or. hold any office under the Goverment — or share in its emoluments—

The Members of our Society from Conscientious principles have never received Pension Money which might have been drawn from the Treasury, by Pensioners of our Order., who embraced our principles since serving in the Wars. But have left it in the Treasurey to the amount, of over Four Hundred Thousand Dollars.

Under the late Conscript Law. some 12 or 15 of, our Members, have been Drafted. Some of which are held as Conscripts by the Provost Marshalls — & ordered to the Barracks — there to learn the arts of War — & be in readiness for Military Service——

What we would. Earnestly. & Respectfully ask of your honor. Is. to Change the descision of the Provost Marshalls, to Imprisonment during the. Draft. As we would prefer suffering the Extreeme Penalty of the Law, rather than Violate, our Nonresistant Principles

Very Respectfully

Your, humble, Petioners

In behalf of the Societies of Shakers—

Benjamin Gates

& Frederick W Evans

August 1st 1863.

[Endorsed by Lincoln:]

Shakers — about the draft.